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OFFICE OF PETITIONS

In re Application of
Alberto A. Gabizon, Samuel Zalipsky, Dorit
Goren-Rubel, and Aviva T. Horowitz
Application No. 09/467,413
Filed: December 17, 1999
Attorney Docket No. 5325-0161.30
Title: METHOD OF ADMINISTERING A
COMPOUND TO MULTI-DRUG
RESISTANT CELLS

DECISION GRANTING
PETITION UNDER 37 C.F.R. §1.137(b)

This is a decision on the petition filed on March 27, 2003, pursuant to 37 C.F.R. §1.137(b)¹, to revive the above-identified application.

The above-identified application became abandoned for failure to submit an Appeal Brief within two-months of the filing of a Notice of Appeal, filed on April 16, 2002. No extensions of time pursuant to 37 C.F.R. §1.136(a) were received. Accordingly, the above-identified application became abandoned on June 17, 2002. A Notice of Abandonment was mailed on February 12, 2003.

With the instant petition, petitioner has filed the petition fee, a Request for Continued Examination (RCE) under 37 C.F.R. §1.114, as well as the associated fee, and has made the proper statement of unintentional delay. The RCE has been accepted as the required reply under

¹ A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

37 C.F.R. §1.137(b)(1). The amendment, previously filed on April 16, 2002 with the Notice of Appeal, shall serve as the required submission.

As such, the petition is **GRANTED**.

After this decision is mailed, the application will be forwarded to Technology Center 1600 for consideration of the submission under 37 C.F.R. §1.114, the previously filed amendment.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0011.



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